

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

TONI MOORE,)	
)	
Plaintiff,)	
)	
v.)	No. 12-cv-3100-JPM-cgc
)	
AFC, INC.;)	
AUTOMOTIVE FINANCE CORP.;)	
KAR AUCTION SERVICES, INC.;)	
and ADESA, INC.,)	
)	
Defendants.)	
)	

ORDER

Before the Court is the above-captioned action, Civil Case No. 12-3100. On January 4, 2012, the Court granted Plaintiff's Motion for Leave to Proceed in forma pauperis. (ECF No. 4.) Pursuant to Federal Rule of Civil Procedure 4(c)(3), the court must order the U.S. Marshals Service to effect service of process when a plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915. See Byrd v. Stone, 94 F.3d 217, 219 (6th Cir. 1996) ("Together, [Rule 4(c)(3)] and 28 U.S.C. § 1915(c) stand for the proposition that when a plaintiff is proceeding in forma pauperis the court is obligated to issue plaintiff's process to a United States Marshal who must in turn effectuate service upon the defendants, thereby relieving a plaintiff of the burden to serve process once reasonable steps

have been taken to identify for the court the defendants named in the complaint.").

Plaintiff has reasonably identified the Defendants in his Complaint (ECF No. 1), including their addresses and the addresses of their respective agents for service of process (see id. ¶¶ 3, 4, 5).

It is ORDERED that the Clerk shall issue process for Defendants Automotive Finance Corporation, doing business as AFC, Inc.; Kar Auction Services, Inc.; and Adesa, Inc., and deliver that process to the marshal for service. Service shall be made on Defendants in a manner pursuant to Federal Rule of Civil Procedure 4(h)(1) and within 120 days from the date the Complaint was filed, up to and including April 29, 2013, pursuant to Federal Rule of Civil Procedure 4(m). All costs of service shall be advanced by the United States.

IT SO ORDERED this 4th day of April, 2013.

/s/ Jon P. McCalla
CHIEF U.S. DISTRICT JUDGE